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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,202	08/17/2001	Boris S. Elman	00-8024	4924

  

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EXAMINER
ANWAH, OLISA

  

ART UNIT	PAPER NUMBER
2614	

  

NOTIFICATION DATE	DELIVERY MODE
01/31/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

<b>Office Action Summary</b>	Application No. 09/932,202	Applicant(s) ELMAN ET AL.	
	Examiner Olisa Anwah	Art Unit 2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 15, 17 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16, 18-24 and 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 3, 4, 5, 8-12, 14, 21-24, 26, 27 and 30 are rejected under 35 U.S.C § 103(a) as being unpatentable over Qua et al, U.S. Patent No. 6,222,909 (hereinafter Qua) combined with Walker et al, U.S. Patent No. 6,529,602 (hereinafter Walker) and Whitfield, U.S. Patent No. 5,995,824 (hereinafter Whitfield) in further view of Rhee, U.S. Patent No. 5,524,137 (hereinafter Rhee).

Regarding claim 1, Qua discloses an apparatus for transmitting, receiving and recording two-way conversation data between at least two remote locations, comprising:

a wireless communication device;

a memory coupled to the wireless communication device for storing two-way conversation data in digital form;

a device interface for communicatively coupling the wireless communication device to a remote device and sending the stored two-way conversation data to the remote storage device;

a user interface configured to allow a user of the wireless communication device to access by way of a wireless network, the two-way conversation data stored in the remote storage device, the user interface including a plurality of data management functions that allows the user of the wireless communication device to manage, by way of the wireless network, the two-way conversation data stored in the remote storage device (see Figures 1-6).

Again on the issue of claim 1, Qua does not explicitly say that the plurality of data management functions includes functions for editing the two-way conversation data stored in the remote storage device. Nonetheless, Walker covers this feature (see column 5). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Qua with the edit feature of Walker. This modification would have improved the system's flexibility by allowing the user to perform other intermediate

processing/distribution functions as suggested by Qua (see column 6).

Further regarding claim 1, although Qua shows a voice mail system (see unit 170 from Figure 1), the combination of Qua and Walker fails to teach the two-way conversation data is stored as audio in the voice mail system. Nevertheless, Whitfield discloses this limitation (see column 3). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua and Walker wherein the two-way conversation data is stored as audio in the voice mail system as shown by Whitfield. This modification would have improved the system's profitability by allowing network operators to charge subscribers a fee for the service as suggested by Whitfield (see column 3).

Still on the issue of claim 1, nowhere does the combination of Qua, Walker and Whitfield teach the plurality of data management functions includes translating the audio. All the same, Rhee discloses this feature (see column 3). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to further modify the combination of Qua, Walker and Whitfield wherein the plurality of data management functions includes translating the audio as shown by Rhee. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Regarding claim 2, see Figure 1 of Qua.

Regarding claim 3, Qua does not disclose the memory is an on-board memory. Nevertheless, Whitfield covers this feature (see Figure 2). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the base references with the on-board memory shown by Whitfield. This modification would have improved the system's efficiency by coupling the memory to the wireless communication by using various techniques as suggested by Qua (see column 7).

Regarding claim 4, see column 3 of Qua.

Regarding claim 5, see column 7 of Qua.

Regarding claim 8, Qua discloses a system for managing two-way conversation data occurring between at least two remote locations a network, comprising:

- a wireless communication device;

- a memory coupled to the wireless communication device for storing two-way conversation data in digital format;

- a storage location outside the memory;

- an interface between the memory and the storage location for transferring the two-way conversation data from the memory to the storage location; and

- a user interface that allows a user of the wireless communication device to access, by way of a wireless network, the two-way conversation data in the storage location, the user interface including a plurality of data management functions that allows the user of the wireless communication device to manage, by way of the wireless network, the two-way conversation data stored in the storage location (see Figures 1-6).

Again on the issue of claim 8, Qua does not explicitly say that the plurality of data management functions includes functions for editing the two-way conversation data stored in

the remote storage device. Nonetheless, Walker covers this feature (see column 5). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Qua with the edit feature of Walker. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Further regarding claim 8, although Qua shows a voice mail system (see unit 170 from Figure 1), the combination of Qua and Walker fails to teach the two-way conversation data is stored as audio in the voice mail system. Nevertheless, Whitfield discloses this limitation (see column 3). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua and Walker wherein the two-way conversation data is stored as audio in the voice mail system as shown by Whitfield. This modification would have improved the system's profitability by allowing network operators to charge subscribers a fee for the service as suggested by Whitfield (see column 3).



Still on the issue of claim 8, nowhere does the combination of Qua, Walker and Whitfield teach the plurality of data management functions includes translating the audio. All the same, Rhee discloses this feature (see column 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua, Walker and Whitfield wherein the plurality of data management functions includes translating the audio as shown by Rhee. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Regarding claim 9, see column 7 of Qua.

Claim 10 is rejected for the same reasons as claim 3.

Regarding claim 11, see column 7 of Qua.

Regarding claim 12, see column 7 of Qua.

Regarding claim 21, see Figures 4-6 of Qua.

Regarding claim 22, Qua discloses a system for managing two-way conversations between a first communication device located at a first location and a second communication device located at a second location remote from said first location, said two-way conversations occurring over a network having at least one storage location, wherein at least one wireless communication device can be connected to said network, comprising:

a data interface between said at least one wireless communication device and said at least one storage location for transferring data derived from said two-way conversations from said at least one storage location to said at least one wireless communication device; and

a user interface, including at least one user-controllable data management function that allows a user of said at least one wireless communication device to access, by way of said network, said data in said at least one storage location, said user interface including a plurality of data management functions that allows the user of said at least one wireless communication device to manage, by way of said network, said data in said at least one storage location (see Figures 1-6).

Again on the issue of claim 22, Qua does not explicitly say that the plurality of data management functions includes functions for editing the two-way conversation data stored in the remote storage device. Nonetheless, Walker covers this feature (see column 5). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Qua with the edit feature of Walker. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Further regarding claim 22, although Qua shows a voice mail system (see unit 170 from Figure 1), the combination of Qua and Walker fails to teach the two-way conversation data is stored as audio in the voice mail system. Nevertheless, Whitfield discloses this limitation (see column 3). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua and Walker wherein the two-way conversation data is stored as audio in the voice mail system as shown by Whitfield. This modification would have improved the system's

profitability by allowing network operators to charge subscribers a fee for the service as suggested by Whitfield (see column 3).

Still on the issue of claim 22, nowhere does the combination of Qua, Walker and Whitfield teach the plurality of data management functions includes translating the audio. All the same, Rhee discloses this feature (see column 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua, Walker and Whitfield wherein the plurality of data management functions includes translating the audio as shown by Rhee. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Regarding claim 23, see Figure 1 of Qua.

And for claim 24, the base references as modified by Whitfield inherently teach the computer system is divided into

multiple user storage locations such that one of said user storage locations corresponds with an individual user.

Claim 26 is rejected for the same reasons as claim 14.

Regarding claim 27, see column 5 of Qua.

Regarding claim 30, see Figures 4-6 of Qua.

3. Claims 6 and 13 are rejected under 35 U.S.C § 103(a) as being unpatentable over Qua combined with Walker, Whitfield and Rhee in further view of Liukkonen et al, U.S. Patent No. 6,230,214 (hereinafter Liukkonen).

Regarding claim 6, the base references does not disclose the secondary device interface is a wireless interface that allows data transfer between the memory and the secondary device. All the same, Liukkonen teaches this feature (see abstract). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the base references wherein the secondary device interface is a wireless interface that allows data transfer between the memory and the secondary device as shown by Liukkonen. This modification would have improved the system's

efficiency by reducing costs as suggested by Liukkonen (see column 1).

Claim 13 is rejected for the same reasons as claim 6.

4. Claim 16 is rejected under 35 U.S.C § 103(a) as being unpatentable over Qua combined with Walker, Whitfield and Rhee in view of Wendelrup, U.S. Patent Application Publication No. 2002/0023099 (hereinafter Wendelrup).

And for claim 16, although Qua teaches the two-way conversation data is audio (see abstract), the combination of Qua, Walker, Whitfield and Rhee does not show the interface is configured to download at least a portion of the audio from the storage location to the memory. Even so, Wendelrup discloses interface is configured to download at least a portion of the audio from the storage location to the memory (see paragraph 0015). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the base references wherein the interface is configured to download at least a portion of the audio from the storage location to the memory as taught by Wendelrup. This modification would have improved the system's convenience by allowing the

user to have access to an increased storage capacity as suggested by Wendelrup (see paragraph 0010).

5. Claims 7, 14, 18-20, 28 and 29 are rejected under 35 U.S.C § 103(a) as being unpatentable over Qua combined with Walker, Whitfield, Rhee and Wendelrup in further view of Bowater et al, U.S. Patent No. 6,278,772 (hereinafter Bowater).

Regarding claim 7, Qua discloses the plurality of data management functions includes functions for playing back, converting and sending the two-way conversation data stored in the storage location (see column 6). Qua does not explicitly teach the plurality of data management functions includes functions for editing and deleting the two-way conversation data stored in the storage location. Nonetheless, Walker covers this feature (see column 5). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Qua with the edit and delete features of Walker. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Further regarding claim 7, the combination of Qua and Walker does not clearly mention the plurality of data management functions includes a function for archiving the two-way conversation data stored in the storage location. At any rate, Whitfield shows this limitation (see column 4). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Qua and Walker with the archive features of Whitfield. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Again on the issue of claim 7, although Qua teaches the two-way conversation data is audio (see abstract), the combination of Qua, Walker, Whitfield and Rhee does not show the plurality of data management functions includes a function for downloading. Even so, Wendelrup discloses this feature (see paragraph 0015). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the base references with the download feature taught by Wendelrup. This modification would have improved the



system's convenience by allowing the user to have access to an increased storage capacity as suggested by Wendelrup (see paragraph 0010).

Still on the issue of claim 7, the base references do not clearly show the plurality of data management functions includes functions for searching and linking the two-way conversation data stored in the storage location. All the same, Bowater discloses this feature (see columns 5 and 8). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the base references with the searching and linking features of Bowater. This modification would have improved the system's flexibility by allowing the user to perform other intermediate processing/distribution functions as suggested by Qua (see column 6).

Claim 14 is rejected for the same reasons as claim 7.

Regarding claim 18, see column 5 of Qua.

Regarding claim 19, the base references as modified by Rhee inherently teaches the translating function is conducted by a text translation service that converts at least a portion of the text data from a first language to a second language.

Regarding claim 20, the base references as modified by Rhee inherently teaches the translating function is conducted by an audio translation service that translates a portion of the audio data from a first language to a second language.

Claim 28 is rejected for the same reasons as claim 19.

Claim 29 is rejected for the same reasons as claim 20.

#### ***Response to Arguments***

6. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

#### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

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OA

Olisa Anwah  
Patent Examiner  
January 23, 2008

Olisa Anwah